



PC(Ph) 7068/A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: :
P.E. CROSS ET AL. : Examiner: R. Covington
SERIAL NO.: 044,086 : Group Art Unit: 129
FILED: APRIL 29, 1987 :
FOR: ANTI-ARRHYTHMIC AGENTS :

Hon Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

RESPONSE

In response to the Office Action in the above case mailed on July 19, 1989, applicants respectfully request that the Examiner consider the following remarks and attached Declaration. Concurrent with this response is filed a Petition For Extension of time to extend the time for response to January 19, 1990. Reconsideration of the rejection of claims 1-5, 7-11, 13-17, 19-23, 25-29, 31-35, 37-41, 44-48, and 50-59 is respectfully requested in view of the these remarks and attached Declaration.

Remarks

Claims 1-5, 7-11, 13-17, 19-23, 25-29, 31-35, 37-41, 44-48 and 50-59 (hereafter pending claims) are in the application. In the Office Action, the pending claims were rejected under 35 USC 103 as unpatentable over Ainsworth et al I, Ainsworth et al II today with Howe et al, Larsen et al II in view of Hester or Mortley et al. This rejection is traversed. As will be seen in greater detail below, the pending claims would not have been obvious in view of the reference, either taken singly or combined. Moreover, the Examiner's reliance on seven references raises an inference that an impermissible hindsight approach has been used.